

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

VALEDIA GROSS

Plaintiff

v.

MORGAN STATE UNIVERSITY, et al.

Defendants

* * * * *

MEMORANDUM AND ORDER

Now pending before the Court is the Plaintiff's Motion for Summary Judgment (ECF No. 18). The Defendant has responded (ECF No. 21) and the Plaintiff has replied (ECF No. 30).

The Motion for Summary Judgment (ECF No. 18) is DENIED. The record reveals a case in which there is no basis for granting summary judgment in the Plaintiff's favor. First, as to many of the Plaintiff's claims, the Court has genuine questions whether it even has jurisdiction to entertain them. There are significant variances between the claims the Defendant made administratively and those which she is pursuing in this Court. Such variances give rise to substantial concerns about exhaustion, and the Court cannot conclude at this point that the claims were properly exhausted at the administrative level. Further, with respect to those claims where arguably the Plaintiff has appropriately exhausted the administrative process, it is not clear at all that she should prevail. If anything, there are serious arguments to be made suggesting that summary judgment should be granted for the Defendant, not the Plaintiff. No such motion is before the Court, so that possibility will not be addressed further at this time. Addressing the motion at hand, the Defendant raises genuine disputes as to the factual allegations made by

Plaintiff such that the Court cannot conclude that Plaintiff is entitled to judgment as a matter of law. Rule 56, Federal Rules of Civil Procedure.

Accordingly, the Plaintiff's Motion for Summary Judgment (ECF No. 18) is DENIED.

DATED this 23rd day of August, 2017.

BY THE COURT:

/s/
James K. Bredar
United States District Judge